

Sec. of State #
3980
A.G. # 117-682
Filing Date 11-8-77

INTERGOVERNMENTAL AGREEMENT

BETWEEN

THE STATE OF ARIZONA

AND

THE COUNTY OF COCONINO

THIS AGREEMENT, entered into this 18th day of November,
1977, pursuant to Arizona Revised Statutes, Section 11-951 through
11-954, by and between the STATE OF ARIZONA, acting by and through the
ARIZONA DEPARTMENT OF TRANSPORTATION, hereinafter called "STATE",
and the COUNTY OF COCONINO, hereinafter called "COUNTY",

WHEREAS, the STATE is empowered by Arizona Revised Statutes
Section 28-108 to enter into this Agreement, and

WHEREAS, the COUNTY is empowered by Arizona Revised Statutes
Section 11-251 to enter into the Agreement, and

WHEREAS, for the safety and protection of the traveling public, it is
necessary and desirable that certain operations and maintenance activities
be provided on the State Highway System in the COUNTY. This work shall
include, but not be limited to the operation and maintenance of traffic signals
and/or intersection lighting at the following location:

US 89A and SR 179

NOW, THEREFORE, in consideration of the mutual covenants hereinafter to be kept by all parties, it is mutually agreed as follows:

1. The COUNTY shall set aside sufficient funds and be responsible for all electrical energy costs to operate the traffic signals and/or intersection lighting.

2. The STATE shall set aside sufficient funds and be responsible for all operations and maintenance except electrical energy cost; the responsibility of the STATE includes monthly telephone charges for traffic signal interconnect circuits when utilized.

3. Any betterment shall be based on a traffic engineering study, and the mutual involvements shall be negotiable.

4. THIS AGREEMENT shall remain in force and effect until midnight June 30, 1978, and shall thereafter be automatically renewed for successive periods of one (1) year, unless either party shall give notice in writing to the other not less than one (1) month nor more than three (3) months prior to the initial expiration date, or of any renewal date hereof, cancelling said AGREEMENT. In event of such notification and upon expiration of the term during which notice is given, this AGREEMENT shall thereupon become of no further force and effect.

5. It is understood that the intersection list set forth in this AGREEMENT may be added to, or have deletions made, by Letter Addendum Exhibit A, with all other conditions set forth remaining in effect.

6. It is understood that upon the termination of this AGREEMENT for any cause whatsoever, all properties which are the subject matter of this AGREEMENT are declared to be property of the Arizona Department of Transportation.


7. Any disposal of properties subject to this AGREEMENT shall be in a manner as otherwise prescribed by law concerning the disposal of public property.

8. This AGREEMENT shall be filed with the Secretary of State and shall become effective upon such filing.

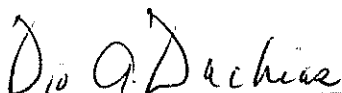
9. Attached hereto is an authenticated copy of the resolution of the BOARD OF SUPERVISORS authorizing said COUNTY, to enter into this agreement and a copy of the written determination of the COUNTY ATTORNEY OR A DEPUTY COUNTY ATTORNEY that this agreement is in proper form and within the powers and authority granted to the COUNTY under the laws of this State.

IN WITNESS WHEREOF, the parties have executed this AGREEMENT the day and year first written.

STATE OF ARIZONA
ARIZONA DEPARTMENT OF TRANSPORTATION

By: 
Chief Deputy State Engineer

COUNTY OF COCONINO

By: 

Title: Chairman

ATTEST:



County Clerk

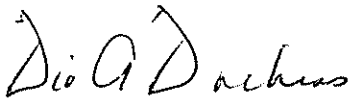
EXHIBIT "A"
LETTER ADDENDUM

In accordance with paragraph 5 of the Agreement for the operation and maintenance of traffic signals and/or highway lighting between the STATE OF ARIZONA and the COUNTY OF COCONINO consummated on 11/18/77 it is agreed by both parties that the following intersection(s) be added to the existing list of intersections and be operated and maintained as set forth in said Agreement.

STATE OF ARIZONA
ARIZONA DEPARTMENT OF TRANSPORTATION

By: 
Chief Deputy State Engineer

COUNTY OF COCONINO

By: 

Title: Chairman

ATTEST:


County Clerk

Date Signed: 11/2/77

CERTIFIED COPY OF ENTRY IN OFFICIAL MINUTES
OF THE COCONINO COUNTY BOARD OF SUPERVISORS

COCONINO COUNTY)
) ss:
ARIZONA)

Ethel Ulibarri, having been first duly sworn, deposes and says:

I am the duly appointed, qualified and acting Clerk of the Coconino County Board of Supervisors and in such capacity under the provisions of ARS Section 11-241 am charged with the responsibilities, among others, of recording all proceedings of the Board and maintaining custody of such records of the Board as are required by law to be maintained. Among the records of which I have custody is the official minute book of the Board of Supervisors which under the provisions of ARS Section 11-217 is required to be made and kept.

Set forth below is a copy of an entry in the aforesaid minute book of which, as aforesaid, I am the officer having the legal custody. This is my certificate under the provisions of Rule 44 (g), Rules of Civil Procedure, and the Uniform Business Records Act, that the said copy is a true and correct copy thereof, to which I attest by my signature hereto:

DATE of meeting of which the minutes are a record: October 3, 19 77

The entry in the said minutes:

The Board reviewed the Intergovernmental Agreement between the State of Arizona and the County of Coconino for certain operations and maintenance activities be provided on the State Highway System in the County (traffic signals and/or intersection lighting at US 89A and SR 179). Agreement has been reviewed and to be in proper form by the County Attorney. Motion is made by Supervisor Wells, seconded by Vice-Chairman Peter J. Lindemann and carried, authorizing future signing of the Intergovernmental Agreement as submitted herewith this date.

DATED this 4th day of October, 19 77.


Ethel Ulibarri, Clerk

(SEAL)

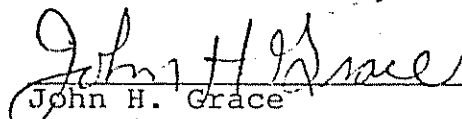
RECEIVED

OCT 04 1977

COCONINO COUNTY HIGHWAY DEPT.
ENGINEERING

Re: Intergovernmental Agreement Between The State of
Arizona and the County of Coconino

The above agreement, which is an agreement between public
agencies, has been reviewed pursuant to A.R.S. Section
11-952 by the undersigned County Attorney, who has
determined that it is in proper form and is within the
powers and authority granted under the laws of the State
of Arizona.



John H. Grace
Coconino County Attorney
State of Arizona



OFFICE OF THE
Attorney General

BRUCE E. BABBITT
ATTORNEY GENERAL

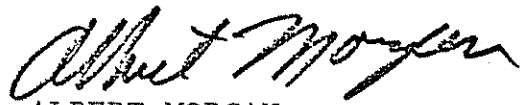
INTERGOVERNMENTAL AGREEMENT
DETERMINATION

A. G. Contract No. 77-682 which is an agreement between public agencies has been reviewed pursuant to A.R.S. §11-952, as amended, by the undersigned Assistant Attorney General who has determined that it is in proper form and is within the powers and authority granted to the State or its agencies under the laws of the State of Arizona.

No opinion is expressed as to the authority of the remaining parties, other than the State or its agencies, to enter into said contract.

DATED this 13 day of October, 1977.

BRUCE E. BABBITT
The Attorney General


ALBERT MORGAN
Assistant Attorney General

